

**GEORGIA BOARD OF EXAMINERS OF LICENSED DIETITIANS
MINUTES OF REGULAR MEETING
JUNE 17, 2004**

A Meeting of the Georgia Board of Examiners of Licensed Dietitians was held on June 17, 2004 at 10:00 in Room 102 & 103, 237 Coliseum Drive, Macon, Georgia.

The following members were present:

Nancy Walters, MMSc, RD, LD, Chair
Jessie Wright, MS, LD, RD, Cognizant
Lula Hutchinson, RD, LD, Vice Chair
Tracey Neely, MS, RD, LD
Joan Fischer, PhD, RD, LD
Deedee Williams, Consumer Member

Others Present:

Tachunta A. Thomas, Asst. Division Director, Yvonne LeSane, Board Secretary, Serena Butts, Applications Specialist, Wylencia Monroe, Assistant Attorney General, Janet Starr, Education Consultant, H.P., Licensee

Ms. Walters established a quorum of the Board and called the meeting to order at 10:05 a.m.

The Board reviewed and revised the Agenda.

Ms. Williams moved and Dr. Fischer seconded and the Board voted to approve the Minutes of April 15, 2004 and June 2, 2004.

Dr. Fischer moved and Ms. Williams seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-2(k)(1)(2), 43-1-19(h)(2)&(4), §43-1-2(k)(4) and 50-14-2(1) and to deliberate on Applications, receive information from Cognizant Report and the Attorney General's Report. Voting in favor of the motion were those present who included Board members Walters, Wright, Fischer, Neely, Williams and Hutchinson. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.

RULE 157-2-.04; PUBLIC HEARING:

Nancy Walters, Chair established that a quorum was present, and called the Public Hearing to order at 10:15 a.m. As there were no comments submitted and no members of the public attended the hearing, the public hearing was adjourned at 10:20 A.M.

After discussion and consideration of the rule change, Ms Hutchinson moved and Dr. Fischer seconded and the Board voted to adopt the proposed rule Chapter 157-2-.04(1) in accordance with 50-13-4(a)(1) as posted, as follows:

157-2-.04 Renewal of License and Penalties, and Reinstatement. Amended.

(1) Renewal of License and Fees.

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- (a) A license issued by the Board shall expire on March 31st of even numbered years. The license may be renewed upon payment of the renewal fee and completion of the renewal application, provided all requirements have been met.
- (b) The license of any licensee who fails to apply for renewal by March 31st of the renewal year will be deemed lapsed and an application for reinstatement will be required.
- (c) Each licensee applying for renewal must satisfactorily complete any continuing professional education requirements established by the Board.
- (d) The Board may request additional verification of any requirements or credentials, as it may deem necessary.

Renewals:

Continuing Education Audit: Ms. Janet Starr, Education Consultant provided the results of the continuing education random audit of renewal applicants. Ms. Starr noted that there were no deficiencies found. The board accepted the continuing education audit report.

H.P.: After a meeting with the Board, Ms. Neely moved and Dr. Fischer seconded and the Board voted to hold renewal pending receipt of psychologist report.

Elections of Officers:

Ms. Neely moved and Ms. Wright seconded and the Board voted to hold elections of Board officers at the August 19, 2004 board meeting and nominate the following candidates:

Chair:	Lula Hutchinson
Vice Chair:	Tracey Neely
	Joan Fischer
Cognizant:	Nancy Walters
	Jessie Wright

Applications:

Timothy D. Reese: Dr. Fischer moved and Ms. Neely seconded and the Board voted to approve the application for licensure by CDR Registered.

Janella V. Jones: Dr. Fischer moved and Ms. Neely seconded and the Board voted to approve the application for licensure restoration.

G.L.J.: Dr. Fischer moved and Ms. Neely seconded and the Board voted to approve the application for licensure restoration with a letter of concern upon proof of disclosure of conviction and the original license issue date.

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M.L.P.: Dr. Fischer moved and Ms. Neely seconded and the Board voted to hold pending additional information.

Ms. Neely moved and Dr. Fischer seconded and the Board voted to approve applications for licensure who were determined to have met licensure requirements as follows:

License No.	Name	Profession	Issue Date
LD002702	Schoerner, Anne Marie	Licensed Dietitian	2/25/2004
LD002703	Waters, Kelly Melissa	Licensed Dietitian	2/25/2004
LD002704	Schmitt, Erin Kathryn	Licensed Dietitian	2/25/2004
LD002705	Katz, Ilana	Licensed Dietitian	3/5/2004
LD002706	Steinberg, Ellen Karen	Licensed Dietitian	3/8/2004
LD002707	Phillips, Anna Camille	Licensed Dietitian	3/8/2004
LD002708	Maurer, Allison Helen	Licensed Dietitian	3/8/2004
LD002709	Brooks, Barbara L.	Licensed Dietitian	3/18/2004
LD002710	Mallof, Virginia Eileen	Licensed Dietitian	3/18/2004
LD002711	Mehan, Leslie Jean	Licensed Dietitian	3/18/2004
LD002712	Kleve, Cheryl Ann	Licensed Dietitian	3/25/2004
LD002713	Hussey, Helen LuAnn	Licensed Dietitian	3/25/2004
LD002714	Lutterbie, Cynthia Marie	Licensed Dietitian	3/30/2004
LD002715	Gibson, Kerry Elizabeth	Licensed Dietitian	3/30/2004
LD002716	Nooromid, Safa Aghajani	Licensed Dietitian	4/6/2004
LD002717	Gabbert, Heather Diane	Licensed Dietitian	4/9/2004
LD002718	Head, Kay Morgan	Licensed Dietitian	4/13/2004

Ms. Neely moved and Dr. Fischer seconded and the Board voted to approve applications for provisional licensure who were determined to have met provisional licensure/permit requirements as follows:

Name	Issue Date
Kantrell Renea Brown	2/24/2004
Judith Ann Whitehead	3/8/2004
Lisa Anne Hale	3/8/2004
Cicley Clarisse Thomas	3/18/2004
Lisa Michelle Bartell	3/18/2004

Attorney General's Report:

Status Update: DIET040027, DIET040040

Ms. Williams moved and Dr. Fischer seconded and the Board voted to accept the Attorney General's Report.

Cognizant Member's Report:

Diet040043: Ms. Wright moved and Ms. Fischer seconded and the Board voted to refer to Enforcement.

Ms. Wright moved and Ms. Williams seconded and the Board voted to accept the Cognizant Member's Report.

Georgia Dietetic Association (GDA):

Ms. Walters gave a brief synopsis of the Georgia Board of Examiners of Licensed Dietitians presentation at the Georgia Dietetic Association Annual Meeting held in Augusta, Georgia.

Rules Committee Meeting:

The Rules Committee presented recommendations for changes on Rules 157-2-.05, 157-6-.01 and 157-6-.02. The Committee will next review unlicensed practice of dietetics and nutrition counseling.

RULE 157-2-.05 AND 157-6 PROPOSED REVISIONS: Ms. Hutchinson moved and Ms. Neely seconded and the Board voted to accept the Rules Committee recommendations and forward to the Attorney General's office for statutory authority for the following proposed rule revisions:

157-2-.05 Fines and Penalties; Name and Address Changes. Amended.

(1) Upon finding that a violation has occurred, in accordance with O.C.G.A. §§ 43-11A-15 and 43-1-19, the Board has the authority to sanction any license issued, deny a license or refuse to renew a license.

(2) The Board may impose any or all of the following:

(a) Public or Private reprimand.

(b) Letter of Concern.

(c) Imposition of Fine(s).

(d) Period of Probation.

(e) Any other action the Board may deem appropriate.

(3) With respect to unlicensed practice, the board may consider each day as a separate violation. Mitigating circumstances may be taken into account in varying the sanctions subject to the Board's discretion. Mitigating circumstances shall not include failure to notify the board of an address change or failure to receive a renewal application.

(4) Mitigating circumstances may be taken into account in varying the sanctions subject to the Board's discretion. Mitigating circumstances shall not include failure to notify the Board of an address change or failure to receive a renewal application.

(5) Name Change. A name change request shall be accompanied by a copy of the marriage certificate, court order, or other documentation of a legal name change.

(6) Change of address. It is the duty of each licensee to notify the Board immediately in writing of any change of address. All mail from the Board office, including renewal applications, may not be forwarded by the U.S. Postal Service.

Authority O.C.G.A. §§43-1-19; 43-1-25; 43-11A-7; 43-11A-15.

And Rule 157-6

Preamble

The licensure law for dietitians provides that a Code of Ethics will be adopted and published and licensed dietitians will be required to adhere to the Code of Ethics. This code of ethics reflects the ethical principles of the dietetic profession and outlines obligations of the member to self, client, society, and the profession, and is adapted from the Code of Ethics for the Profession of Dietetics adopted by the American Dietetic Association and the Commission on Dietetic Registration. A violation of the Code of Ethics is considered unprofessional conduct and grounds for discipline under OCGA 43-1-19(6); 43-11A-15(6).

157-6-.02 Ethics of Dietitians.

Pursuant to O.C.G.A.. §43-11A-7(9), the Georgia Board of Examiners of Licensed Dietitians shall have the power to adopt, publish and enforce a Code of Ethics. (1) The Licensed Dietitian provides professional services with objectivity and with respect for the unique needs and values of individuals by:

(a) providing sufficient information to enable clients, and others, to make their own informed decisions;

(b) avoiding discrimination on the basis of factors that are irrelevant to the provision of the professional services, including, but not limited to, race, creed, sex, ethnicity, religion, disability, national origin, sexual orientation and age;

(c) not engaging in sexual harassment;

(2) The Licensed Dietitian accurately presents professional qualifications and credentials by:

(a) using "L.D." or "Licensed Dietitian" only when his/her license is current and authorized by the Georgia Board of Examiners of Licensed Dietitians;

(b) using "PLD" or "Provisionally Licensed Dietitian" only when his/her permit is current and authorized by the Georgia Board of Licensed Dietitians;

(c) permitting use of his/her name for purpose of certifying that dietetics services have been rendered only if he/she has provided those services.

(3) The Licensed Dietitian does not aid another in violating any Law or Rule of the Georgia Board of Examiners of Licensed Dietitians or aid another person in representing himself/herself as a Licensed Dietitian/Provisionally Licensed Dietitian or practicing dietetics when he/she is not licensed or otherwise exempted from licensure.

(4) The Licensed Dietitian remains free from conflict of interest or the appearance of a conflict by providing full disclosure when a real or potential conflict of interest arises.

(5) The Licensed Dietitian promotes or endorses products only in a manner that is neither false nor misleading.

(6) The Licensed Dietitian assumes responsibility and accountability for personal competence in practice by:

(a) practicing dietetics based on scientific principles and current information;

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- (b) continually striving to increase professional knowledge and skills and to apply them in practice;
- (c) recognizing the limits of his/her qualifications and where appropriate seeks counsel or makes referrals or collaborates with others;
- (d) adhering to accepted standards for his/her area of practice.
- (7) The Licensed Dietitian complies with all applicable laws and regulations concerning the profession, but seeks to change them if they are inconsistent with the best interest of the public and the profession.
- (8) The Licensed Dietitian presents substantiated information and interprets controversial information without personal bias, recognizing that legitimate differences of opinion exist.
- (9) The Licensed Dietitian maintains the confidentiality of information and makes full disclosure about any limitations on his/her ability to maintain full confidentiality.
- (10) The Licensed Dietitian conducts him/herself with honesty, integrity and fairness by:
 - (a) providing factual information to the public and colleagues of his/her services and not advertising in a false or misleading manner;
 - (b) making all reasonable effort to be objective and avoid bias of any kind in the professional evaluation of others.
- (11) The Licensed Dietitian accepts obligation to protect the public and promotes the high standards of professional practice by upholding the laws, rules and Code of Ethics of the Georgia Board of Examiners of Licensed Dietitians and by reporting alleged violations.

Education Committee Meeting:

The Education Committee discussed 157-5-.02 discrepancies and possible changes, including the use of a chart or grid for continuing education. The Committee will bring an update to the Board meeting on August 19, 2004.

Agenda: The Board agreed to utilize the same agenda format for all upcoming Board and committee meetings.

Ms. Hutchinson moved and Ms. Wright seconded and the Board voted to adjourn at 4:25 p.m.

Nancy Walters, Chair

Mollie L. Fleeman, Division Director
Professional Licensing Boards Division

Recorded by

Jacqueline Hightower, Executive Director
Professional Licensing Boards Division